



# *COMMONWEALTH of VIRGINIA*

## *DEPARTMENT OF ENVIRONMENTAL QUALITY*

### NORTHERN REGIONAL OFFICE

13901 Crown Court, Woodbridge, Virginia 22193

(703) 583-3800 Fax (703) 583-3821

[www.deq.virginia.gov](http://www.deq.virginia.gov)

Molly Joseph Ward  
Secretary of Natural Resources

David K. Paylor  
Director

Thomas A. Faha  
Regional Director

**STATE WATER CONTROL BOARD  
ENFORCEMENT ACTION  
AMENDMENT TO ORDER BY CONSENT  
ISSUED TO  
BRISTOW DEVELOPMENT CORPORATION  
FOR  
BRISTOW MANOR GOLF COURSE WWTP  
VPA Permit No. VPA00012**

### **SECTION A: Purpose**

This is an Amendment of an Order by Consent (Amendment) issued under the authority of Va. Code § 62.1-44.15, between the State Water Control Board and the Bristow Development Corporation, regarding the Bristow Manor Golf Course Wastewater Treatment Plant, for the purpose of revising certain provisions of the Order by Consent (Order) issued by the Board to the Bristow Development Corporation on December 20, 2013, for the purpose of revision to certain provisions of the Order and for the purpose of resolving certain violations of the State Water Control Law, the Permit and the Regulation.

### **SECTION B: Basis for Amendment**

1. Bristow owns and operates the Facility located in Bristow, Virginia in Prince William County. The Facility, with a design flow of 11,036 gallons per day, services the Bristow Manor Golf Club and approximately twenty-two residences.
2. The Facility is the subject of the Permit which allows Bristow to manage pollutants with wastewater treatment and spray irrigation of treated effluent to 5.2 acres of the Golf Club site, used as a driving range. The Permit does not authorize discharges of wastewater to state waters. The Permit authorizes the site to be operated in strict compliance with the terms and conditions of the Permit.

3. The Department has issued no permits or certificates to Bristow other than VPA Permit No. VPA00012.
4. On December 20, 2013, Bristow and DEQ entered into the Order to: resolve violations of permit effluent limitations for fecal coliform, and Total Suspended Solids (TSS); and resolve violations of permit requirements for reporting and submission of the monitoring reports.
5. The Order required Bristow to: (1) implement interim measures to ensure compliance with Permit limits. The interim measures included the installation of an Ultraviolet (UV) disinfection system to replace the Facility's chlorine tablet feeder; and (2) submission to the Department for review and approval, of a plan and schedule for the conversion of the existing Facility to an alternative onsite sewer system (AOSS), or an alternative plan to ensure continued compliance with the Permit.
6. On August 21, 2013, Bristow submitted a plan and schedule. The schedule was revised and approved on January 20, 2014.
7. The UV system was installed and the CTO was issued on February 27, 2014.
8. In submitting its December 2013, January 2014, and May 2014, monitoring reports, as required by the Permit, Bristow detailed exceedance of Permit limits for fecal coliform.
9. Part I.A.1 of the Permit states Bristow is authorized to discharge wastewater after the Facility's storage pond that does not exceed a fecal coliform maximum and average concentration value of 200 n/100mL.
10. Bristow submitted the 2013 annual soil monitoring on May 23, 2014.
11. Part I.A.3.a of the Permit states: "During the period following the effective date of the permit and lasting until the upgrade of the treatment system to tertiary treatment and application of the effluent to the tees, greens, and fairways or the permit's expiration date, the permittee is authorized to manage pollutants in groundwater at the stabilization pond and 5.2 acre application site as specified...Soil samples shall be collected in October and results submitted by January 10<sup>th</sup> of the following year."
12. Bristow submitted the triennial micronutrient soil monitoring report for 2013 on May 23, 2014.
13. Part I.A.3 of the Permit states: "Soil samples shall be collected in October and results submitted by January 10th of the following year. Sampling for micronutrients shall be conducted triennially."

14. On March 21, 2014, based on the file review and provided information, the Department issued Notice of Violation (NOV) No. 2014-03-N-0013 to Bristow for the violations described in paragraphs C(8) – C(13), above.
15. Bristow submitted the 2013 annual project summary report on May 23, 2014.
16. VPA00012 Permit Part I.B.27 states: “An annual project summary report shall be prepared and submitted by the 10th of February of each year to the DEQ-NRO.”
17. On April 7, 2014, Department staff inspected the Facility. During the inspection, staff observed the storage pond did not have a minimum freeboard of two feet.
18. Permit condition Part I.B.13 states: “The permittee shall maintain a minimum freeboard of two feet at all times in the effluent storage ponds”
19. On April 16, 2014, based on the file review and provided information, the Department issued NOV No. 2014-04-N-0007 to Bristow for the violations described in paragraphs C(10) – C(13) and C(15 ) – C(16), above.
20. On April 25, 2014, DEQ conducted a site visit and observed saturated ground conditions during land application.
21. Part I.B.11 of the Permit states “Effluent shall not be applied when the ground is saturated or during periods of rainfall.”
22. On May 16, 2014, based on the file review and provided information, the Department issued NOV No. 2014-05-N-0008 to Bristow for the violations described in paragraphs C(10 ) – C(13) and C(15) – C(18), above.
23. In addition, although not specifically cited in the May 16, 2014, NOV, Bristow failed to notify DEQ, that the freeboard requirements were not met.
24. Permit condition Part I.B.13 states: “The permittee shall maintain a minimum freeboard of two feet at all times in the effluent storage ponds. Should the two-foot freeboard requirement be violated, the permittee shall immediately notify DEQ-NRO describing the problem and measures to be taken to correct the problem. Within five days of the notification, the permittee shall submit a written statement of explanation and corrective measures.”
25. On July 21, 2014, based on the file review and provided information, the Department issued NOV No. 2014-07-N-0006 to Bristow for the violations described in paragraphs C(8 ) – C(9), above
26. On September 23, 2014, Bristow meet with DEQ to discuss the Order and NOVs.

27. Based on the documentation submitted, the Board concludes that Bristow has violated Permit condition Part I.A.1, I.A.3.a, I.B. 11, I.B.13 and I.B.27, as described in paragraphs C(8- 24), above.

**SECTION C: Agreement and Order**

Accordingly, by virtue of the authority granted it in Va. Code §§ 62.1-44.15, the Board orders Bristow, Bristow agrees to:

1. Perform the actions described in Appendix A of this Amendment, which supersede and cancels only paragraph number two of Appendix A of the Order. Both the State Water Control Board and Bristow understand and agree that this Amendment does not alter, modify or amend any other provision of the Order and that the unmodified provisions of the Order remain in effect by their own terms; and
2. Pay a civil charge of \$9,275.00 within 30 days of the effective date of this Amendment in settlement of the violations cited in this Amendment.

Payment shall be made by check, certified check, money order or cashier's check payable to the "Treasurer of Virginia," and delivered to:

Receipts Control  
Department of Environmental Quality  
Post Office Box 1104  
Richmond, Virginia 23218

Bristow shall include its Federal Employer Identification Number (FEIN) with the civil charge payment and shall indicate that the payment is being made in accordance with the requirements of this Order for deposit into the Virginia Environmental Emergency Response Fund (VEERF). If the Department has to refer collection of moneys due under this Order to the Department of Law, Bristow shall be liable for attorneys' fees of 30% of the amount outstanding.

And it is so ORDERED this \_\_\_\_\_ day of \_\_\_\_\_, 2015.

\_\_\_\_\_  
Thomas A. Faha, NRO Regional Director  
Department of Environmental Quality

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Bristow Development Corporation voluntarily agrees to the issuance of this Order.

Date: 1-14-15 By: [Signature], Managing Partner  
(Person) (Title)  
Bristow Development Corporation

Commonwealth of Virginia  
City/County of Prince William

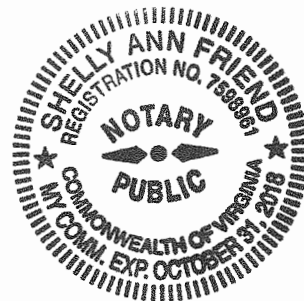
The foregoing document was signed and acknowledged before me this 14 day of  
January, 2015, by Myong-Sup Kim who is  
Managing Partner of Bristow Development Corporation on behalf of the  
corporation.

[Signature]  
Notary Public

1598961  
Registration No.

My commission expires: October 31, 2018

Notary seal:



## APPENDIX A SCHEDULE OF COMPLIANCE

### 1. Treatment System

No later than 30 days from the execution of this Order, Bristow shall submit to the Department for review and approval, a plan and schedule to ensure continued compliance with the Permit. Once approved by DEQ, the plan and schedule will become an enforceable part of this Order. The Plan shall include, but not be limited to:

- A. A review of the storage capacity of the system to ensure it meets the requirements of the Virginia Sewage Collection and Treatment Regulations at 9 VAC 25-790-880.F.
- B. Installation of disinfection to remove *E. coli* bacteria to a level of  $\leq 11$  n/100 mL measured as a monthly geometric mean after the stabilization pond (prior to land application).
- C. Engineering evaluation of the entire treatment system including the plant, storage pond liner, collection system, and the groundwater monitoring wells to ensure all wastewater is collected transported, stored, treated and disposed of in a manner to comply with all permit requirements.
- D. Conversion of the existing system to an AOSS, as an alternative to the plant upgrade.
- E. Adjustment of the spray nozzles to prevent human contact with the sprayed effluent, and installation of fencing and signage around the spray field in accordance with the Virginia Sewage Collection and Treatment Regulations at 9 VAC 25-790-880.H.3.

### 2. DEQ Contact

Unless otherwise specified in this Order, Bristow shall submit all requirements of Appendix A of this Order to:

Enforcement  
Virginia Department of Environmental Quality  
Northern Regional Office  
13901 Crown Court  
Woodbridge, VA 22193